

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re:

SEARS HOLDINGS CORPORATION, *et al.*,

Debtors.

Chapter 11

Case No. 18-23538 (RDD)

(Jointly Administered)

**PROPOSED ORDER GRANTING EMERGENCY MOTION FOR AN ORDER SHORTENING
NOTICE WITH RESPECT TO MOTION FOR RELIEF FROM THE AUTOMATIC STAY AND
MEMORANDUM IN SUPPORT THEREOF AND/OR TO DECLARE THAT THE INSURANCE
PROCEEDS ARE NOT PART OF THE BANKRUPTCY ESTATE**

Upon the *Emergency Motion for an Order Shortening Notice with Respect to Motion for Relief from the Automatic Stay and Memorandum in Support Thereof and/or to Declare that the Insurance Proceeds are not Part of the Bankruptcy Estate* (the “*Emergency Motion to Shorten*”, Docket No. ____), filed on May 7, 2019 by creditor Santa Rosa Mall, LLC (“Santa Rosa Mall”), for entry of an order pursuant to Section 362(e) of the Bankruptcy Code and Fed. R. Bankr. P. 9006(c) shortening the time for notice of a hearing to consider the *Motion for Relief from the Automatic Stay and Memorandum in Support Thereof and/or to Declare that the Insurance Proceeds are not Part of the Bankruptcy Estate* (the “*Stay Relief Motion*”, Docket No. 3475), all as more fully set forth in the *Emergency Motion to Shorten*; the Court having jurisdiction to decide the *Emergency Motion to Shorten* and the relief requested therein pursuant to 28 U.S.C. §§ 157(a)–(b) and 1334(b); and having considered the *Emergency Motion to Shorten* and the requested relief being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the relief sought in the *Emergency Motion to Shorten* having been provided, such notice having been adequate and appropriate under the circumstances, and it appearing that no other or further notice need be provided; and the Court having determined that the legal and factual bases set forth in the *Emergency Motion to Shorten* establish just cause for the relief granted herein; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The *Emergency Motion to Shorten* (Docket No. ____) is granted.
2. A hearing on the *Emergency Motion to Shorten* (Docket No. ____) will be held before the Honorable Robert D. Drain, United States Bankruptcy Judge, in the United States Bankruptcy Court for the Southern District of New York, 300 Quarropas Street, White Plains, New York 10601 on set for May 21, 2019 at 10:00 a.m. (Eastern Time), or as soon thereafter as counsel may be heard.
3. Santa Rosa Mall is authorized to take all actions necessary to effectuate the relief granted in this Order.
4. This Court shall retain jurisdiction to resolve all matters relating to, or arising in connection with, the interpretation and/or implementation of this Order.

Dated: _____, 2019
White Plains, New York

HONORABLE ROBERT D. DRAIN
UNITED STATES BANKRUPTCY JUDGE